

REMARKS

Claims 1-31 are now pending in the application. The Examiner is respectfully requested to reconsider and withdraw the rejections in view of the amendments and remarks contained herein.

CLAIM OBJECTIONS

Claims 1, 7, 12, 14, 21, and 22 are objected to because of informalities. Applicants have made minor non-narrowing amendments to claims 1, 7, 12, 14, 21, and 22 per the Examiner's suggestions to overcome the objections. Accordingly, Applicants respectfully request the Examiner to remove the objections to these claims.

REJECTION UNDER 35 U.S.C. § 112

Claims 6 and 20 stand rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point and distinctly claim the subject matter which Applicants regard as the invention. This rejection is respectfully traversed.

Claim 6

The Examiner has rejected claim 6 stating it is unclear whether claim 6 is merely renaming the apparatus as a housing, or whether the housing and the apparatus are separate structures. While Applicants do not acquiesce in the Examiner's rejection that claim 6 is indefinite, Applicants nevertheless have made minor non-narrowing amendments to claim 6. As amended, claim 6 now recites "An electrical power supply having coupled thereto the apparatus according to claim 1 for detachably mounting the electrical power supply to the rail". Accordingly, Applicants respectfully submit that claim 6 is not indefinite, and request withdrawal of the rejection under 35 U.S.C. §112, second paragraph.

Claim 20

The Examiner has rejected claim 20 stating it is unclear as to whether claim 20 is merely renaming the housing as an electrical power supply, or whether the housing and the electrical power supply are separate structures. While Applicants do not acquiesce

in the Examiner's rejection that claim 20 is indefinite, Applicants nevertheless have made minor non-narrowing amendments to claim 20 to expedite prosecution. As amended, claim 20 now recites "An electrical power supply housed within the housing according to claim 12." Accordingly, Applicants respectfully submit that claim 20 is not indefinite, and request withdrawal of the rejection under 35 U.S.C. §112, second paragraph.

REJECTION UNDER 35 U.S.C. § 102(e)

Claims 1, 5-7, 11, 12, and 16-22 stand rejected under 35 U.S.C. § 102(e) as being anticipated by Raspotnig (U.S. Pat. No. 6,543,957). This rejection is respectfully traversed.

At the outset, Applicants note that the amendments to claim 21 have rendered moot the rejection thereof. Claim 21 has been amended to clarify in this particular claim that the means for resiliently engaging includes an opening therethrough, and that the means for resilient engaging is coupled to the device such that a portion of the means for resiliently engaging is generally between the housing and the means for defining a recess, and such that a portion of the means for defining a recess is received through the opening. Claim 21 is believed to be allowable because the cited patents do not at least disclose, teach, or suggest these features. Applicants further note that claim 21 includes subject matter similar to claim 25, which the Office action has indicated as being allowable.

In addition, Applicants also respectfully submit that claims 1, 5-7, 11, 12, and 16-22 are not anticipated by Raspotnig because Raspotnig does not disclose each and every feature recited in these claims. Among other things, Raspotnig does not disclose a clamp including a resilient wing for resiliently engaging a face of a rail.

For example, independent claim 1 recites an apparatus for detachably mounting a device to a rail, where the apparatus comprises "a clamp on the device, the clamp having a resilient wing for resiliently engaging the front face of the rail". These features are not disclosed by Raspotnig, and accordingly Raspotnig cannot anticipate claim 1.

Independent claim 7 recites a device in combination with a rail, where the device comprises "a clamp having a resilient wing for resiliently engaging the front face of

These features are not disclosed by Raspotnig, and accordingly Raspotnig cannot anticipate claim 7.

Independent claim 12 recites a housing detachably mountable to a rail, where the housing comprises “a clamp including a resilient wing for resiliently engaging the front face of the rail”. These features are not disclosed by Raspotnig, and accordingly Raspotnig cannot anticipate claim 12.

Independent 22 recites a method for detachably mounting a device to a rail, where the method comprises “resiliently engaging a wing of a clamp on the device with the front face of the rail”. These features are not disclosed by Raspotnig, and accordingly Raspotnig cannot anticipate claim 22.

Raspotnig describes a holder for attaching a housing to a rail. But Raspotnig does not disclose a clamp having a resilient wing for resiliently engaging the face of the rail. In contrast, Raspotnig merely describes a tube-shaped flexible member 22. See, for example, Raspotnig Figures 2-4, column 3, line 1: “a flexible member with a tube-like structure.....”. The Raspotnig tube 22 is deformed from its essentially circular closed cross-sectional state to an oval state to fully attach the holder to the rail. See, for example, Raspotnig, column 3, lines 9-12, and column 5, lines 42-44.

The Office action identifies Raspotnig component 26 as a resilient wing. But Raspotnig component 26 is merely a bead or thickened portion 26 extending around the periphery of the circular tube 22 for ensuring that the tube 22 remains inside the groove 24. See, for example, Raspotnig Figure 2, column 3, lines 33-45, and column 5, lines 40-54. Like the tube 22, the Raspotnig bead 26 is also a hollow tube with a closed circular cross-section. This bead 26 has an entirely different purpose and function than that of a resilient wing that resiliently engages a face of a rail in that the bead 26 simply helps retain the tube 22 in its groove 24. Indeed, nowhere does Raspotnig disclose that the bead 26 assists with the actual attachment of the holder to the rail, yet alone that the bead 26 resiliently engages a rail face.

Because Raspotnig discloses a tube 22 having a bead 26 disposed therearound for keeping the tube 22 within a recess (which are clearly not a clamp having a resilient wing), Raspotnig does not teach each and every feature of the independent claims 1, 7, 12, and 22, and, accordingly, independent claims 1, 7, 12, and 22 are not anticipated by

Raspotnig. For at least these reasons, Applicants respectfully request reconsideration and withdrawal of the rejection under 35 U.S.C. §102(e).

Claims 5, 6, 11, 16-19, and 20 each ultimately depend from independent claim 1, 7, or 12 shown above to be allowable. Accordingly, Applicants respectfully submits that claims 5, 6, 11, 16-19, and 20 are each in condition for allowance for at least the reasons given above in connection with the independent claim from which they depend. That is, Raspotnig does not disclose a clamp having a resilient wing for engaging a face of a rail.

REJECTION UNDER 35 U.S.C. § 102(b)

Claims 1-24 stand rejected under 35 U.S.C. § 102(b) as being anticipated by Baum (U.S. Pat. No. 5,480,310). This rejection is respectfully traversed.

At the outset, Applicants note that the amendments to claim 21 have rendered moot the rejection thereof. Claim 21 has been amended to clarify in this particular claim that the means for resiliently engaging includes an opening therethrough, and that the means for resilient engaging is coupled to the device such that a portion of the means for resiliently engaging is generally between the housing and the means for defining a recess, and such that a portion of the means for defining a recess is received through the opening. Claim 21 is believed to be allowable because the cited patents do not at least disclose, teach, or suggest these features. Applicants further note that claim 21 includes subject matter similar to claim 25, which the Office action has indicated as being allowable.

In addition, Applicants respectfully submit that claims 1-20 and 23-24 are not anticipated by Baum because Baum does not disclose each and every feature recited in these claims. Among other things, Baum does not at least disclose any latch that operates against the bias of a clamp.

For example, independent claim 1 recites an apparatus for detachably mounting a device to a rail, where the apparatus comprises “a latch for engaging the back face of the rail adjacent the second edge against the bias of the clamp”. These features are not disclosed by Baum, and accordingly Baum cannot anticipate claim 1.

Independent claim 7 recites a device in combination with a rail, where the device comprises “a latch for engaging the back face of the rail adjacent the second edge against the bias of the clamp”. These features are not disclosed by Baum, and accordingly Baum cannot anticipate claim 7.

Independent claim 12 recites a housing detachably mountable to a rail, where the housing comprises “a latch for engaging the back face of the rail adjacent the second edge against the bias of the clamp”. These features are not disclosed by Baum, and accordingly Baum cannot anticipate claim 12.

Independent 22 recites a method for detachably mounting a device to a rail, where the method comprises “engaging a latch with the back face of the rail adjacent the second edge against the bias of the clamp.” These features are not disclosed by Baum, and accordingly Baum cannot anticipate claim 22.

Baum discloses a ground clip system for use with connectors and terminals for establishing and providing electrical ground connection with a bus rail. Baum, however, wholly fails to disclose any latch that operates against the bias of a clamp. Instead, Baum discloses jaws 47 that cooperate with tangs 45 for holding the connector 10 onto the bus rail 12. These jaws 47, however, do not operate against the bias of any resilient clamping devices. In Baum, the fingers 25 and 26 of the ground clip 15 are resiliently biased towards one another for frictionally gripping the rail therebetween in order to establish good electrical ground connection with the rail. The frictional gripping force applied by the fingers 25 and 26 to the rail 12, however, appears to be wholly independent of the engagement of the jaws 47 with the rail 12. More specifically, and as shown by Baum Figures 9, and 11, the fingers 25 and 26 each apply a generally horizontal gripping force against the force applied by the other finger. Meanwhile, the jaws 47 provide a horizontal support surface on which the rail 12 rests, such that the jaws 47 inhibit the rail 12 from moving vertically downward. Still referring to Baum Figures 9 and 11, Applicants have not found any disclosure, teaching, or even remote suggestion in Baum that the ground clip 15 applies any downward biasing force to the rail 12 against which the jaws 47 operate after the connector 10 has been mounted to the rail 12.

Because Baum fails to at least disclose a latch that engages a rail against a bias of a clamp, Baum does not teach each and every feature recited by the independent claims 1, 7, 12, and 22. Accordingly, Applicants respectfully submit that claim 1, 7, 12, and 22 are not anticipated by Baum. For at least these reasons, Applicants respectfully request reconsideration and withdrawal of the rejection under 35 U.S.C. §102(b).

Claims 2-6, 8-11, 13-21, and 23-25 each ultimately depend from independent claim 1, 7, 12, or 22 shown above to be allowable. Accordingly, Applicants respectfully submit that claims 2-6, 8-11, 13-21, and 23-25 are each in condition for allowance for at least the reasons given above in connection with the independent claim from which they depend. That is, Baum does not at least disclose (among other things) a latch that engages a rail against a bias of a clamp.

In addition, claims 2-6, 8-11, 13-21, and 23-25 are further patentably distinguishable over Baum because Baum does not disclose, teach or suggest the additional features required by these claims. For example, Baum fails to disclose

“wherein the clamp has an opening therethrough for receiving a portion of the bracket, and wherein the clamp is coupled to the device such that a portion of the clamp is generally between the device and the bracket and such that a portion of the bracket is received through the opening of the clamp” (as recited in claim 4); or

“wherein the clamp has an opening therethrough for receiving a portion of the bracket, and wherein the clamp is coupled to the device such that a portion of the clamp is generally between the device and the bracket and such that a portion of the bracket is received through the opening of the clamp” (as recited in claim 10); or

“wherein the clamp has an opening therethrough for receiving a portion of the bracket, and wherein the clamp is coupled to the housing such that a portion of the clamp is generally between the housing and the bracket and such that a portion of the bracket is received through the opening of the clamp” (as recited in claim 15).

The Office action states that claim 25 would be allowable if rewritten in independent form because the cited patents do not teach or suggest a method, "wherein the clamp has an opening therethrough, and wherein the coupling includes receiving a portion of the bracket, through the opening of the clamp." Claims 4, 10, and 15 each recite subject matter similar to the claimed subject matter of claim 25, which the Examiner has already indicated as being allowable. Accordingly, Applicants submit that claims 4, 10, and 15 are also allowable for these additional reasons.

ALLOWABLE SUBJECT MATTER

Claim 25 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form. Applicants believe claim 25 is also in a condition for allowance at least because claim 22, the independent claim from which claim 25 depends, is allowable for at least the same reasons stated above. Reconsideration and withdrawal of the rejection is respectfully requested.

NEW CLAIMS

Claims 26 through 31 supported by the application as originally filed, such that no new matter is introduced by the addition of these claims. Claims 26 through 31 ultimately depend from independent claim 1 shown above to be allowable. Accordingly, Applicants respectfully submit that claims 26 through 31 are each in condition for allowance for at least the reasons given above in connection with independent claim 1. In addition, Applicants respectfully submit that claims 26 through 31 are further patentably distinguishable over the cited patents in that the cited patents do not disclose, teach or suggest the additional features required by these claims.


CONCLUSION

It is believed that all of the stated grounds of rejection have been properly traversed, accommodated, or rendered moot. Applicants therefore respectfully request that the Examiner reconsider and withdraw all presently outstanding rejections. It is believed that a full and complete response has been made to the outstanding Office Action and the present application is in condition for allowance. Thus, prompt and

favorable consideration of this amendment is respectfully requested. If the Examiner believes that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned directly at (314) 726-7502.

Applicants believe that the appropriate fees have been included with this filing. If, however, Applicants owe any additional fee(s), the Commissioner is hereby authorized to charge the fee(s) to Deposit Account No. **08-0750**. In addition, if there is ever any other fee deficiency or overpayment under 37 C.F.R. §1.16 or 1.17 in connection with this patent application, the Commissioner is hereby authorized to charge such deficiency or overpayment to Deposit Account No. **08-0750**.

Respectfully submitted,

By: 
Anthony Fussner, Reg. No. 47,582

Dated: December 7, 2005

HARNESS, DICKEY & PIERCE, P.L.C.
7700 Bonhomme, Suite 400
St. Louis, Missouri 63105
(314) 726-7500
(314) 726-7501 (facsimile)
AGF/dmkd